

## CITT Capital Reserve Fund

**Background**

The Capital Expansion Reserve Fund was included among the new requirements, along with a Maintenance of Effort annual increase from the General Fund, approved by the Board in Resolution R-222-09 (attached) in March, 2009 to revise Ordinance 02-116.

[County] intent to dedicate at least 10 percent of the County's annual share of surtax funds, excluding existing and future debt service, for capital expansion of the transit system. In the event any portions of the dedicated capital expansion funds remain unexpended in any fiscal year, said funds shall be used to augment and not substitute the subsequent fiscal year's dedicated capital expansion funds. If in any fiscal year, at least 10 percent of the County's share of surtax funds, excluding existing and future debt service, is not allocated for dedicated capital expansion, then this amendment to Exhibit 1 shall cease as an operation of law. (R 222-09 and CITT 08-079)

In December 2010, the Board adopted Resolution R-1202-10 (also attached) to clarify the intent that the Reserve would be used to expand the transit system beyond the MIC-Earlington Heights (now known as the AirportLink) project. The 2010 Resolution specifies that its funds would be used for investment in other improvements, including but not limited to the North Corridor and East-West Corridor expansion projects – not for debt service on the MIC-Earlington Heights project.

The detailed listing of the projects to be funded from this Reserve Fund is currently part of the development of the FY15 Adopted Budget. The project list is to be included in the PTP Five Year Implementation Plan (described on page 133 of FY13 Update) and as a line item in the Capital Budget.

The Reserve represents 10% of the County's annual share of Surtax funds excluding future and existing debt service. The cumulative total was approximately \$44 million as of FY2013, and the FY2014 Pro Forma identified an incremental \$9 million this year.

**Requirements**

- Augments and does not replace existing equipment or service, and does not diminish operational or financial performance of system
- Not used to supplant or augment debt service on the MIC-Earlington Heights Project
- Used to expand the transit system beyond the MIC-Earlington Heights Project
- Proposal memo include a detailed scope of work, schedule, and budget (annual cash flow) for each project

**Attachment**

## MEMORANDUM

Agenda Item No. 11(A)(1)

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**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners


**DATE:** March 3, 2009

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution amending Exhibit 1  
to the People's Transportation  
Plan by creating a capital  
expansion reserve fund  
**Resolution No. R-222-09**

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The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/up




# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** March 3, 2009

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(1)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Mayor's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(1)  
3-3-09

RESOLUTION NO. R-222-09

RESOLUTION AMENDING EXHIBIT 1 TO THE PEOPLE'S  
TRANSPORTATION PLAN BY CREATING A CAPITAL  
EXPANSION RESERVE FUND AND ALLOWING FOR  
GREATER FLEXIBILITY IN THE USE OF CHARTER  
COUNTY TRANSIT SURTAX FUNDS FOR THE OPERATION  
AND MAINTENANCE OF THE TRANSIT SYSTEM

**WHEREAS**, the Board of County Commissioners' ("BCC") renews its commitment to increase annually the General Fund support for Miami-Dade Transit by at least 3.5 percent over that provided in the preceding fiscal year; and

**WHEREAS**, Charter County Transit Surtax ("Surtax") funds are an essential component of the preservation of the public transit system; and

**WHEREAS**, review of all Miami-Dade Transit contracts by the Citizens' Independent Transportation Trust ("CITT") will assist the CITT in its oversight role; and

**WHEREAS**, the BCC supports the use of surtax funds for capital expansion of the transit system; and

**WHEREAS**, the CITT has reviewed this Amendment to Exhibit 1 to the People's Transportation Plan and has forwarded the matter with a favorable recommendation to the BCC,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA** that this Board accepts the recommendation of the CITT, a copy of which is attached and incorporated herein, and hereby amends Exhibit 1 to the People's Transportation Plan by adding the following opening language:

Recognizing that a safe, reliable and efficient transit system is of paramount importance, surtax funds may be utilized for any costs related to capital and/or the operations and maintenance of the transit system, including but not limited to bus, rail, Metromover, and Special Transportation Services (STS). The transit projects listed in Exhibit 1 are illustrative examples but not exclusive uses for surtax funds. Said projects and prior amendments to Exhibit 1, with the exception of the Reinvestment Schedule identified in CITT Resolution No. 05-025, are subject to modification by the approval of the annual budget ordinance(s). Notwithstanding, the County reaffirms its intent to increase annually the General Fund support for Miami-Dade Transit by at least 3.5 percent over that provided in the preceding fiscal year; and its intent to dedicate at least 10 percent of the County's annual share of surtax funds, excluding existing and future debt service, for capital expansion of the transit system. In the event any portions of the dedicated capital expansion funds remain unexpended in any fiscal year, said funds shall be used to augment and not substitute the subsequent year's dedicated capital expansion funds. If in any fiscal year, at least 10 percent of the County's share of surtax funds, excluding existing and future debt service, is not allocated for dedicated capital expansion, then this amendment to Exhibit 1 shall cease as an operation of law.

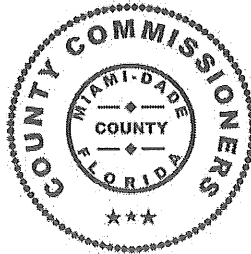
The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. It was offered by Commissioner Barbara J. Jordan, who moved its adoption. The motion was seconded by Commissioner Audrey M. Edmonson and upon being put to a vote, the vote was as follows:

Dennis C. Moss, Chairman	aye
Jose "Pepe" Diaz, Vice-Chairman	aye
Bruno A. Barreiro	aye
Carlos A. Gimenez	nay
Barbara J. Jordan	aye
Dorin D. Rolle	aye
Katy Sorenson	aye
Sen. Javier D. Souto	absent
Audrey M. Edmonson	aye
Sally A. Heyman	aye
Joe A. Martinez	nay
Natacha Seijas	aye
Rebeca Sosa	nay

The Chairperson thereupon declared the resolution duly passed and adopted this 3<sup>rd</sup> day of March, 2009. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK



By: Kay Sullivan  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

Bruce Libhaber

RESOLUTION NO. 08-079

RESOLUTION RECOMMENDING THAT THE BOARD OF COUNTY COMMISSIONERS AMEND EXHIBIT 1 TO THE PEOPLE'S TRANSPORTATION PLAN BY CREATING A CAPITAL EXPANSION RESERVE FUND AND ALLOWING FOR GREATER FLEXIBILITY IN THE USE OF CHARTER COUNTY TRANSIT SURTAX FUNDS FOR THE OPERATION AND MAINTENANCE OF THE TRANSIT SYSTEM

WHEREAS, the Citizens' Independent Transportation Trust (CITT) supports the Board of County Commissioners' (BCC) continued commitment to increase annually the General Fund support for Miami-Dade Transit by at least 3.5 percent over that provided in the preceding fiscal year; and

WHEREAS, Charter County Transit Surtax (Surtax) funds are an essential component of the preservation of the public transit system; and

WHEREAS, review of all Miami-Dade Transit contracts by the CITT will assist the CITT in its oversight role; and

WHEREAS, the CITT supports the use of surtax funds for capital expansion of the transit system,

NOW, THEREFORE, BE IT RESOLVED BY THE CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT) that this Trust, recommends the amendment of Exhibit 1 to the People's Transportation Plan by adding the following opening language:

Recognizing that a safe, reliable and efficient transit system is of paramount importance, surtax funds may be utilized for any costs related to capital and/or the operations and maintenance of the transit system, including but not limited to bus, rail, Metromover, and Special Transportation Services (STS). The transit projects listed in Exhibit 1 are illustrative examples but not exclusive uses for surtax funds. Said projects and prior amendments to Exhibit 1, with the exception of the Reinvestment Schedule identified in

CITT Resolution No. 05-025, are subject to modification by the approval of the annual budget ordinance(s). Notwithstanding, the County reaffirms its intent to increase annually the General Fund support for Miami-Dade Transit by at least 3.5 percent over that provided in the preceding fiscal year; and its intent to dedicate at least 10 percent of the County's annual share of surtax funds, excluding existing and future debt service, for capital expansion of the transit system. In the event any portions of the dedicated capital expansion funds remain unexpended in any fiscal year, said funds shall be used to augment and not substitute the subsequent year's dedicated capital expansion funds. If in any fiscal year, at least 10 percent of the County's share of surtax funds, excluding existing and future debt service, is not allocated for dedicated capital expansion, then this amendment to Exhibit 1 shall cease as an operation of law.


The foregoing resolution was offered by Hon. Anna E. Ward, Ph.D., who moved its adoption. The motion was seconded by Lt.Col Antonio Colmenares and upon being put to vote, the vote was as follows:

Hon. Linda Zilber, Chairperson – Absent  
Marc A. Buoniconti, Vice-Chairperson – Aye

Harold Braynon, Jr. – Nay  
David Concepcion – Absent  
Peter L. Forrest – Aye  
Hon. James A. Reeder – Nay  
William Sancho – Absent  
Paul J. Schwiep, Esq. – Nay  
Hon. Anna E. Ward, Ph.D. – Aye

Lt.Col Antonio Colmenares – Nay  
Jorge E. Cueto, Esq. – Absent  
Miles E. Moss, P.E. – Aye  
Hon. Jorge Rodriguez-Chomat – Absent  
Rodney Sanders – Absent  
Marilyn Smith – Aye

The Vice-Chairman thereupon declared the resolution duly passed and adopted this 25<sup>th</sup> day of November, 2008.

Approved by the County Attorney as  
to form and legal sufficiency 

By:   
Executive Director





OFFICIAL FILE COPY  
CLERK OF THE BOARD  
OF COUNTY COMMISSIONERS  
MIAMI-DADE COUNTY, FLORIDA



MEMORANDUM

Agenda Item No. 11(A)(5)

**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** December 7, 2010

**FROM:** R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Resolution directing the County  
Mayor to identify and include in  
each year's proposed five year  
implementation plan specific  
capital project(s)

Resolution No. R-1202-10

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.

  
\_\_\_\_\_  
R. A. Cuevas, Jr.  
County Attorney

RAC/up



# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Dennis C. Moss  
and Members, Board of County Commissioners

**DATE:** December 7, 2010

**FROM:**   
R. A. Cuevas, Jr.  
County Attorney

**SUBJECT:** Agenda Item No. 11(A)(5)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_ ) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No. 11(A)(5)  
12-7-10

RESOLUTION NO. R-1202-10

RESOLUTION DIRECTING THE COUNTY MAYOR OR  
MAYOR'S DESIGNEE TO IDENTIFY AND INCLUDE IN  
EACH YEAR'S PROPOSED FIVE YEAR  
IMPLEMENTATION PLAN SPECIFIC CAPITAL  
PROJECT(S) OTHER THAN THE MIC-EARLINGTON  
HEIGHTS CONNECTOR (AIRPORT LINK) TO BE  
FUNDED FROM THE CAPITAL EXPANSION RESERVE  
FUND

**WHEREAS**, the Board of County Commissioners approved Resolution No. R-222-09 on March 3, 2009 incorporating the recommendations of the Citizens' Independent Transportation Trust ("CITT") as outlined in CITT Resolution No. R-08-079; and

**WHEREAS**, Resolution No. R-222-09 approved an Amendment to Exhibit 1 of the People's Transportation Plan which in part created a Capital Expansion Reserve Fund; and

**WHEREAS**, it was the intent of the Board of County Commissioners and the CITT that the Capital Expansion Reserve Fund would be used to expand the transit system beyond the MIC-Earlington Heights Project and that funds from the Capital Expansion Reserve Fund would not be used for debt service on the MIC-Earlington Heights Project but for investment in other improvements, including but not limited to the North Corridor and the East-West Corridor expansion projects; and

**WHEREAS**, the Board of County Commissioners adopted Ordinance No. 10-53 on September 21, 2010, which requires the annual approval of a Five Year Implementation Plan for projects funded in whole or in part with Charter County Transportation Surtax funds; and

**WHEREAS**, Ordinance No. 10-53 mandates that the Five Year Implementation Plan shall include a detailed scope of work, schedule, and budget for each project in the People's Transportation Plan anticipated to be implemented in whole or in part during the five year period; and

**WHEREAS**, a specified listing of the project(s) to be funded from the Capital Expansion Reserve Fund will provide for greater transparency and accountability,

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS**, that this Board directs the County Mayor or Mayor's designee to identify and include in each year's proposed Five Year Implementation Plan specific capital project(s) other than the MIC-Earlington Heights Connector (Airport Link) to be funded from the Capital Expansion Reserve Fund.

The Prime Sponsor of the foregoing resolution is Commissioner Barbara J. Jordan. It was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

	Dennis C. Moss, Chairman	aye	
	Jose "Pepe" Diaz, Vice-Chairman	aye	
Bruno A. Barreiro	aye	Lynda Bell	aye
Audrey M. Edmonson	aye	Carlos A. Gimenez	aye
Sally A. Heyman	aye	Barbara J. Jordan	aye
Joe A. Martinez	aye	Jean Monestime	aye
Natacha Seijas	aye	Rebeca Sosa	aye
Sen. Javier D. Souto	absent		

The Chairperson thereupon declared the resolution duly passed and adopted this 7<sup>th</sup> day of December, 2010. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.



MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: **DIANE COLLINS**  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in dark ink, appearing to read "B. Libhaber", is written over a horizontal line.

Bruce Libhaber